

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JOSH ANDERSON
Plaintiff,

vs.

LARRY KOPKO, et al.
Defendants.

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C.A. No. 04-135 Erie
District Judge McLaughlin
Magistrate Judge Baxter

ORDER

AND NOW, this 8th day of March, 2006;

Plaintiff's "Response to Defendant Smith's Response to Plaintiff's First Request for Production of Documents" [Document # 54] is liberally construed as a motion for reconsideration of the decision regarding Plaintiff's motion to compel discovery.

IT IS HEREBY ORDERED that Plaintiff's motion in this regard is DENIED.

IT IS FURTHER ORDERED that the parties are allowed ten (10) days from this date to appeal this order to a district judge pursuant to Local Rule 72.1.3 B. Failure to appeal within ten (10) days may constitute waiver of the right to appeal.

S/ Susan Paradise Baxter
SUSAN PARADISE BAXTER
CHIEF UNITED STATES MAGISTRATE JUDGE